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tained in 5 U.S.C. 552 are published in 32 CFR 200.1-10.

(b) For example, DIA is not required to release records that fall within the categories listed below:

(1) Information requiring protection in the interest of national defense or foreign policy and authorized under criteria established by Executive Order 11652 and DoD 5200.1-R.² to be kept SECRET.

(2) Rules, regulations, orders, manuals, directives, and instructions relating to the internal personnel rules or internal practices of DIA and those providing management guidance to the Military Departments and the Unified and Specified Commands.

(3) Information authorized or required by statute to be withheld from the public. The authorization or requirement may be found in the statute itself or in Executive orders or regulations authorized by, or in implementation of, the statute. Examples include:

(i) Documentary material referred to in 18 U.S.C. 1905—Trade and financial information provided in confidence by businesses (see subparagraph (4) of this paragraph).

(ii) 35 U.S.C. 181-28—Records containing information relating to inventions that are the subject of patent applications for which Patent Secrecy orders have been issued.

(4) Personnel and medical files and similar files the disclosure of which constitute a clearly unwarranted invasion of personal privacy.

(5) DIA will also withhold information which has been received from anyone, including an individual, a foreign nation, an international organization, a State or local government, a corporation, or any other organization, with the understanding, expressed or implied, that the information will be retained on a privileged or confidential basis under criteria contained in Executive Order 11652 and DoD 5200.1-R.²

(6) Exempt portions of a record may be deleted and the remaining reasonably segregable portions of the record released to the requester when the meaning of these portions is not distorted and it can be reasonably assumed that a skillful and knowledgeable person could not reconstruct the exempt information.

§ 292.8 Filing an appeal for refusal to make records available.

(a) A requester may appeal an initial decision to withhold a record. Appeals should be addressed to:

Director
Defense Intelligence Agency
ATTN: SC (FOIA)
Washington, D.C. 20301

(b) Final determination on appeals shall normally be made within 20 working days of the receipt of the appeal at the above address. If additional time is needed to decide the appeal because of unusual circumstances, the final determination may be delayed for the number of working days, not to exceed

² Filed as part of original.

10, which were not utilized as additional request.

(c) When an appeal is denied, the requester will be apprised of the following:

(1) Applicable exemptions and the significant and legitimate governmental purpose served by the denial.

(2) Name, and title of position of the official responsible for the denial and of the provision for judicial review of the denial.

(3) When the denial is based upon security classification, the requester shall be advised of his optional right to seek declassification of the record by the Interdepartmental Classification Review Committee established pursuant to Executive Order 11652, March 8, 1972, in lieu of immediate judicial review.

§ 292.9 Responsibilities.

When a request for release of material is received the following will apply:

(a) The Secretariat (SC):

(1) Receives requests and assigns tasking.

(2) Maintains appropriate suspenses and authorizes all extensions of response time.

(3) Acts as the responsible official for all initial denials of access to the public.

(b) The Reference Library Branch (DS-4A), Central Reference Division, Directorate for Support:

(1) Acts as the responsible operating office for all Agency actions related to the Freedom of Information Act.

(2) Drafts and transmits responses on:

(i) The release of records and/or information.

(ii) Obtaining supplemental information from the requester.

(iii) Informing the requester of any fees required.

(iv) The transfer to another component or agency of the initial request.

(3) Fulfills the annual reporting requirement and maintains appropriate records.

(4) Refers unusual or precedent-setting requirements to ASD (PA).

(5) Drafts for SC:

(i) Notification of an extension of response time.

(ii) The denial of access to the record.

(c) All DIA Elements:

(1) When identified by DS-4A as the Office of Primary Interest (OPI):

(i) Review records for possible public release within the time constraints assigned.

(ii) Prepare a documented response in all cases of nonrelease.

(2) All employees are required to read this Part to insure familiarity with the requirements of the Freedom of Information Act as implemented.

(d) General Counsel (GO):

(1) Insures uniformity in the Freedom of Information Act legal positions within DIA and with DoD.

(2) Secures coordination with the DoD General Counsel on denials of public requests.

(3) Acts as the focal point in all judicial denials.

(4) Reviews all initial and final denials.

(c) Chief of Staff (CS/DP):

(1) Exercises overall staff supervision of the Freedom of Information Act activities of the Agency.

(2) Acts as the responsible official for all denials of appeals.

§ 292.10 Uniform agency fees for search and duplication under the Freedom of Information Act amendments (Pub. L. 93-502).

General fees:

Minimum fee, per request plus	\$2.00
Forms, per copy	.05
Publications, per printed page	.01
Microfiche, per fiche	.08
Reports, per printed page	.05

(Examples: Cost of 20 forms, \$3.00; cost of a printed publication with 100 pages, \$3.00; cost of a microfiche publication consisting of 10 fiche, \$2.60.)

Office copy reproduction (when shelf stock is not available):

Minimum charge up to six reproduced pages	2.00
Minimum charge, first fiche	5.00
Each additional page	.05
Each additional fiche	.10

Other issuances:

Minimum charge up to six pages	2.00
Each additional page	.05

Search:

Clerical search, per hour	5.50
Minimum charge	2.75

Professional search (includes computer programmer time and review to determine whether a record comes within the scope of a request), per hour

11.00

Minimum charge	5.50
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Computer service charges will be based on actual computer configuration used and be based on direct costs only of the Central Processing Unit plus Input/Output Devices plus Memory Capacity.

MAURICE W. ROCHZ,
Director, Correspondence and
Directives OASD (Comptroller).

FEBRUARY 12, 1975.

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CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY

PART 1900—PUBLIC ACCESS TO DOCUMENTS AND RECORDS AND DECLASSIFICATION REQUESTS

Part 1900 of Title 32 of the Code of Federal Regulations is revised to read as follows:

GENERAL

Sec.	Purpose and Authority.
1900.1	Definitions.
1900.3	Organization; Requests and Submittals.

REQUESTING RECORDS

1900.11	Freedom of Information Communications: Requirements as to Form.
1900.21	Option to Request Records.
1900.23	Fee-Request Option: Estimates of Charges.
1900.25	Fees for Records Services.

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PROCESSING FREEDOM OF INFORMATION ACT
COMMUNICATIONS

- Sec.
1900.31 Screening Communications.
1900.33 Processing Expressions of Interest.
1900.35 Processing Requests for Records.

ACTIONS ON REQUESTS

- 1900.41 Searching for Requested Records.
1900.43 Reviewing Records.
1900.45 Expeditious Action: Extension of Time.
1900.47 Allocation of Manpower and Resources: Agreed Extension of Time.
1900.49 Notification and Payment: Furnishing Records.

APPEALS

- 1900.51 Appeal to CIA Information Review Committee.
1900.53 Appeal to Interagency Classification Review Committee.

MISCELLANEOUS

- 1900.61 Access for Historical Research.
1900.63 Suggestions and Complaints.

AUTHORITY: National Security Act of 1947, the Central Intelligence Agency Act of 1949, the Freedom of Information Act (5 U.S.C. 552), and Executive Order 11652.

GENERAL

§ 1900.1 Purpose and authority.

This part is issued under the authority of, and in order to implement, section 192 of the National Security Act of 1947, as amended (50 U.S.C. 403), the Central Intelligence Agency Act of 1949, as amended (50 U.S.C. 403a et seq.), Executive Order 11652, as amended (3 CFR Revised as of January 1, 1974, p. 339) and the Freedom of Information Act, as amended (5 U.S.C. 552). It prescribes procedures for:

- Requesting records pursuant to the Freedom of Information Act;
- Requesting the declassification of documents pursuant to Executive Order 11652;
- Appealing any denial or refusal of any such request to an appeal authority with the Central Intelligence Agency, to the Interagency Classification Review Committee, in appropriate cases, and to the courts;
- The prompt and expeditious processing of such requests and appeals; and
- Requesting estimates and advice prior to actually requesting records, thus affording protection against unanticipated fees.

This part is also designed to assist Central Intelligence Agency management at all appropriate echelons, to allocate resources to perform the functions, duties and responsibilities of the Central Intelligence Agency prescribed by and pursuant to law, including in particular those situations where it is deemed necessary to choose among conflicting requirements, duties and responsibilities.

§ 1900.3 Definitions.

For the purpose of this part, the following terms have the meanings indicated:

(a) "Agency" includes any executive department, military department or other establishment or entity included in the definition of agency in subsection

Code;

(b) "Coordinator" means the Central Intelligence Agency Freedom of Information Coordinator;

(c) "Expression of interest" means a written communication submitted by a potential requester pursuant to § 1900.23 to indicate an interest in requesting records;

(d) "Freedom of Information Act" means section 552 of Title 5 of the United States Code, as amended;

(e) "National Security Council Directive of May 1972" means the directive entitled "National Security Council Directive Governing the Classification, Downgrading, Declassification and Safeguarding of National Security Information" approved on May 17, 1972 and published at page 227 of Title 3A (The President, Appendix (1972 Compilation)) of the Code of Federal Regulations;

(f) "Potential requester" means a person, organization or other entity who submits an expression of interest in accordance with § 1900.23;

(g) "Records," with reference to records of the Central Intelligence Agency, includes all papers, maps, photographs and other documentary materials regardless of physical form or characteristics made or received by the Central Intelligence Agency in pursuance of federal law or in connection with the transaction of public business and appropriate for preservation by the Central Intelligence Agency as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the Agency or because of the informational value of data contained therein. But the term does not include:

- Index, filing and museum documents made or acquired and preserved solely for reference, indexing, filing or exhibition purposes;
- Routing and transmittal sheets and notes and filing instructions and notes which do not also include information, comment or statement of substance or policy;
- Books, newspapers, magazines, and similar publications and clippings and excerpts from any such publications;
- Documents and records prepared or originated by an agency other than the Central Intelligence Agency;
- Documents and records furnished by foreign governments or international organizations and held by the Central Intelligence Agency on the understanding that the information therein or the furnishing thereof be kept in confidence.

(h) "Records of interest" means records which are the subject of an expression of interest or of a request;

(i) "Work days" means calendar days other than Saturdays and Sundays and legal public holidays.

§ 1900.5 Organization: requests and submittals.

The headquarters of the Central Intelligence Agency is located in Fairfax County, Va. Functions are channeled and determined by regular chain-of-

Except as provided by this part, there are no formal or informal procedural requirements regarding public access to Agency records. Requests and other submittals may be addressed to the CIA Freedom of Information Coordinator, Central Intelligence Agency, Washington, D.C. 20505.

REQUESTING RECORDS

§ 1900.11 Freedom of information communications; requirements as to form.

(a) Any communication to the Central Intelligence Agency or to the Director of Central Intelligence under the Freedom of Information Act should be addressed to:

CIA Freedom of Information Coordinator,
Central Intelligence Agency,
Washington, D.C. 20505.

That address should appear on the envelope or other folder or package in which the communication is transmitted. It should also be included as the addressee of the letter or other communication or be clearly set forth in the text of the communication.

(b) Any request for records under the Freedom of Information Act (§ 1900.21), expression of interest in requesting records (§ 1900.23) or request for declassification of records under Executive Order 11652 shall be in writing and shall be addressed as prescribed by paragraph (a). The Coordinator may, but need not, waive the requirements as to address.

(c) The request or expression of interest shall reasonably describe the records of interest.

(d) Any request or communication to an agency other than the Central Intelligence Agency which requests or concerns documents or records originated by the Central Intelligence Agency and is transferred by that agency to the Central Intelligence Agency shall not be a Freedom of Information Request to the Central Intelligence Agency. But the person or entity who submitted the request to that agency may submit a request for such records to the Central Intelligence Agency in accordance with the procedures prescribed by § 1900.11.

§ 1900.21 Option to request records.

Any person, organization or entity may submit a written request for records to the Coordinator, in accordance with the procedures prescribed by § 1900.11. An estimate of charges likely to be incurred may be obtained by requesting such an estimate as provided by § 1900.23.

§ 1900.23 Pre-request option: estimates of charges.

(a) In order to avoid being faced with unanticipated sizeable charges, interested persons and entities may defer the submission of requests for records and first submit a written request, in accordance with the procedures prescribed by § 1900.11, for an estimate of charges likely to be incurred if the records are requested.

(b) Notice is hereby given that a requester may be liable for the payment of search charges, in accordance with the

RULES AND REGULATIONS

fee schedule and provisions of § 1900.25 even if search for requested records indicates no such records and even if some or all of requested records which are located are denied the requester under one or more exemptions of the Freedom of Information Act. In determining which of options §§ 1900.21 and 1900.23(a) to exercise, interested persons and entities are urged to take into consideration the fact of possible liability.

§ 1900.25 Fees for records services.

(a) Search and duplication fees shall be charged according to the schedule set out in paragraph (c) of this section for services rendered in responding to requests for Agency records under this part. Records shall be furnished without charge or at a reduced rate whenever the Coordinator determines that waiver or reduction of the charge is in the public interest because furnishing the information can be considered as primarily benefiting the general public. The Coordinator also may waive or reduce the charge whenever he determines that the interest of the government would be served thereby. Fees shall not be charged where they would amount, in the aggregate, for a request, or a series of related requests, to less than \$4.

(b) Where it is anticipated that the fees chargeable under this section will amount to more than \$25, and the requester has not indicated in advance his willingness to pay fees as high as are anticipated, the requester shall be promptly notified of the amount of the anticipated fee or of such portion thereof as can readily be estimated. In appropriate cases an advance deposit may be required. The notice or request for an advance deposit shall extend an offer to the requester to confer with the Coordinator in an attempt to revise the request in a manner which will reduce the fees and meet the needs of the requester. Dispatch of such a notice or request shall suspend the running of the period for response by the Agency until a reply is received from the requester.

(c) The schedule of fees for services performed in responding to requests for Agency records is established as follows:

(1) For each one quarter hour spent by clerical personnel in searching for a record, \$1;

(2) For each one quarter hour spent by professional personnel in searching for a record, \$2;

(3) For computer search, \$55;

(4) For copies of paper documents in sizes not larger than 8½ x 14 inches, \$0.10 per copy of each page; and

(5) For duplication of non-paper media or any document that cannot be reproduced on a standard office copier actual direct cost.

PROCESSING FREEDOM OF INFORMATION COMMUNICATIONS

§ 1900.31 Screening communications.

(a) If any Agency employee receives a written communication on which the employee deems to be an apparent or intended communication under the Freedom of Information Act, he shall exped-

the Coordinator and alert the Coordinator to the fact that the communication may be a communication under the Freedom of Information Act.

(b) Upon receipt of a communication in accordance with § 1900.11 or paragraph (a) of this section, the Coordinator shall promptly consult with such Agency components as he may deem appropriate and:

(1) Determine the nature of the communication—an intended expression of interest (§ 1900.21), an intended request (§ 1900.23) or other; and

(2) If he determines the communication to be an intended expression of interest or intended request, he shall further determine whether it fails to qualify as an expression of interest or request only because it fails to reasonably describe the records of interest.

(c) The Coordinator thereupon shall take the appropriate one of the following actions.

(1) If he determined that the communication was not an intended expression of interest or an intended request, he shall take such action with respect to the communication as he may deem appropriate.

(2) If he determined that the communication was an intended expression of interest or an intended request but failed to reasonably describe the records of interest, he shall so inform the originator of the communication promptly, in writing, and he may offer to assist the originator in revising and perfecting the description of the records of interest.

(3) The Coordinator shall determine whether any communication not acted on under subparagraph (1) or (2) is an expression of interest, or is a request made in accordance with published rules stating the procedures to be followed, as required by subsection (a)(3) of the Freedom of Information Act. The Coordinator's determination in this regard shall be based on and shall reflect the clear intent of the originator of the communication insofar as the Coordinator is able to determine that intent. When the originator's intent is not apparent to the Coordinator and when the Coordinator deems it desirable and feasible, he shall promptly communicate with the originator in order to ascertain the latter's intent.

(d) The Coordinator shall inform the requester, in writing, of his determination made under subparagraph (c)(3) and, in the case of a determination that the communication is a request, of the date of such determination. Such notification shall be given promptly and, in any case, within five work days of the date of such determination. The ten work days within which the Agency must determine whether to comply with a request, as provided by subsection (a)(6)(A)(i) of the Freedom of Information Act, shall begin as of the date of such determination.

(e) The Coordinator shall promptly process under the procedures prescribed by § 1900.33 those communications which he determines to be expressions of inter-

est. He shall promptly process under the procedures prescribed by § 1900.35 those communications which he determines to be requests.

§ 1900.33 Processing expressions of interest.

(a) Upon determining, in accordance with subparagraph (c)(3) of § 1900.31, that a communication is an expression of interest, and after promptly consulting with such Agency components as he may deem appropriate, the Coordinator, to the extent feasible, shall determine the search and duplication charges likely to be incurred by the potential requester if the potential requester ultimately requests such records. In determining such charges, the Coordinator shall take into account the nature and quantity of the work and services of people and computers and other equipment which may be required, and the applicable rates set out in the fee schedule prescribed by paragraph (c) of § 1900.25. If feasible at this stage, the Coordinator also shall determine whether to waive or reduce the fee in accordance with paragraph (a) of § 1900.25.

(b) The Coordinator thereupon shall advise the potential requester, in writing, of the likely search and duplication charges. He shall explain the bases and reasons for the charges and he shall make clear that the amounts indicated are estimates only, if such be the case, and, if there is a possibility that the charges to be incurred may be in larger amounts, he shall so inform the potential requester. If the amounts indicated are not estimates but are the amounts which in fact are to be charged if the potential requester makes a request, he shall inform the potential requester of that fact. In either event and if such be the case, he shall also inform the potential requester that search charges will be levied upon the requester even if no records fitting the description are located or if any or all records which do fit the description are denied the requester.

(c) When he deems it appropriate or when the potential requester so requests, the Coordinator shall consult with and advise the potential requester with the view to assisting the latter to determine whether and, if so, how to revise the description of the records of interest so as to cause or permit a reduction in the likely and actual search and duplication charges.

(d) Upon receipt of such estimate and advice concerning likely charges, the potential requester may:

(1) In accordance with § 1900.21, submit a request for records, either the records of interest indicated in his expression of interest or records encompassed in a less-inclusive description;

(2) Advise the Coordinator that he does not intend to request records; or

(3) Take no additional action.

(e) If, as a result of his consultations with the Coordinator or otherwise, the potential requester wants to request records additional to or other than those described in his expression of interest, he may submit an expression of interest

with respect to such records, in accordance with § 1900.23, or a request for such records, in accordance with § 1900.31.

§ 1900.35 Processing requests for records.

Upon determining that a communication is a request for records, the Coordinator, after consulting with such Agency components as he may deem appropriate, shall promptly transmit a copy of the request to the component or components believed responsible for the records, if any exist, inform the components of the date of receipt of the request as determined by him pursuant to paragraph (c) (3) of § 1900.31, and alert the components to the action required of them by § 1900.41 through § 1900.47 with respect to the request.

ACTIONS ON REQUESTS

§ 1900.41 Searching for requested records.

(a) Upon receipt of a copy of a request and an alert pursuant to § 1900.35, the components responsible for requested records (hereinafter the "responsible components"), shall, with such assistance as may be appropriate from the Coordinator and from such reference, indexing or filing components as may have reference, indexing or filing responsibilities with respect to any such records, undertake to locate the requested records.

(b) If no records described by the request are located, the responsible components shall so inform the Coordinator who shall promptly so inform the requester, in writing. The Coordinator also shall determine the charges, if any, for which the requester shall be liable, in accordance with the fee schedule and provisions of § 1900.25. He shall inform the requester of the amount charged, explain the basis of computation and request prompt payment thereof.

§ 1900.43 Reviewing records.

(a) The responsible components shall review any located records in accordance with the provisions of the Freedom of Information Act and Executive Order 11652, and on the basis of other applicable law, regulations and policy, and determine which, if any, requested records, or reasonably segregable portions of records, are to be furnished the requester and which are to be denied or withheld. Any decision to furnish or to deny or withhold requested records shall be made only by employees and officials to whom authority to make such decisions has been duly delegated.

(b) In the event records require review by more than one Agency component or by more than one agency, the Coordinator or the responsible component, as may be appropriate, shall expeditiously coordinate such review.

§ 1900.45 Expeditions action: extension of time.

Whenever feasible under the standards prescribed by § 1900.47, the search and review functions prescribed by §§ 1900.41 and 1900.43 and notice to the requester of the Agency action on the request, as

prescribed by paragraph (a) of § 1900.49, shall be completed within ten days of the date of receipt of the request, except as determined by the Coordinator pursuant to subparagraph (c) (3) or § 1900.31. Whenever the Coordinator determines that "unusual circumstances," as defined by subsection (a) (6) (B) of the Freedom of Information Act, exist, he may, by written notice to the requester, authorize an additional period for completion of Agency action, but no such extension shall be for more than ten work days. His notice shall also set forth the reasons for the extension.

§ 1900.47 Allocation of manpower and resources: agreed extension of time.

(a) Agency components shall devote such manpower and other resources to searching for, locating and reviewing records in accordance with §§ 1900.41 and 1900.43 as may be appropriate and expedient in the circumstances, taking into account:

(1) The manpower and resources available for those purposes;

(2) The right of the requester to resort to litigation if the Agency decision on the request is not made within ten work days; and

(3) All functions, duties and responsibilities assigned to those components by, or pursuant to, law.

(b) The responsible components shall consult with the Coordinator with regard to the need to allocate resources and establish priorities, and the latter with the requester, as may be appropriate, in order to accomplish such arrangements and agreements with the requester as may be acceptable to the requester concerning the Agency's efforts and ability to act on his request expeditiously. In particular, when the Coordinator deems it feasible and of possible benefit to the requester, the public or the Agency, he shall inform the requester that more thorough or extensive search or review, or both, could be accomplished, which might be of benefit to the requester, if additional time were to be available. When appropriate in such cases, the Coordinator shall also advise the requester of the effect on charges and fees such additional search might cause. Any extensions arranged or agreed to under this section may be in addition to any extension under § 1900.45.

§ 1900.49 Notification and payment: furnishing records.

(a) The Coordinator shall promptly inform the requester, in writing, which of the requested records, or portions thereof, if any, are to be furnished the requester and those, if any, which are denied, as determined pursuant to paragraph (a) of § 1900.43. With respect to the latter, he shall also explain the reasons for the denial and he shall furnish the names and titles or positions of the persons responsible for the decision to deny access.

(b) Upon receipt of payment of all fees and charges, or upon the completion of arrangement satisfactory to the Coordinator that payment will be made promptly, the Coordinator shall promptly pre-

pare copies of the records, or portions of records, which are to be made available to the requester. The Coordinator shall do likewise with respect to any records or portions of records made available to a requester by the action of the Central Intelligence Agency Information Review Committee under subparagraph (i) or (ii) of paragraph (e) of § 1900.51.

APPEALS

§ 1900.51 Appeal to CIA Information Review Committee.

(a) *Establishment of committee.* The Central Intelligence Agency Information Review Committee is established hereby, pursuant to the Freedom of Information Act and section 7(B) (2) of Executive Order 11652. The Committee shall be comprised of the Deputy Director for Administration, the Deputy Director for Intelligence, the Deputy Director for Operations, the Deputy Director for Science and Technology, the Deputy to the Director of Central Intelligence for the Intelligence Community and the Deputy to the Director of Central Intelligence for National Intelligence Officers. The Director of Central Intelligence shall appoint a chairman. The Committee, by majority vote, may delegate to one or more of its members the authority to act on any appeal or appeals under this section, and may authorize the chairman to delegate such authority.

(b) *Right of appeal: notice.* Whenever any requested record or any portion thereof is denied a requester, the requester may appeal the denial to the Committee and the Coordinator shall inform the requester of this right, in writing. Also, any requester for the declassification of classified documents under Executive Order 11652 who is not informed of Agency action thereon within sixty days of his request may request the Committee to declassify the documents and make them available.

(c) *Appeal procedures.* Any such appeal or request to the Committee shall be in writing, addressed to the CIA Freedom of Information Coordinator. The appeal or request may present such information, data and argument in support thereof as the requester may desire. The Committee shall not permit a requester to appear before the Committee or to make an oral presentation.

(d) *Time for appeal: expiration of right of appeal.* An appeal shall be submitted within thirty days of the date of receipt of notification of the right to appeal and the right of appeal shall cease as of the expiration of that period. But the Committee, for good cause shown, may permit an additional thirty days for the submission of an appeal.

(e) *Committee action on appeals and requests.* (1) The Committee shall promptly consider any appeal, together with any submissions in support thereof, and shall grant or deny the appeal or take such other action thereon as it may deem appropriate. The Committee's review, decision and action shall be based on and shall be in conformance

with the Freedom of Information Act, Executive Order 11652, and applicable law, directives, regulations and policy.

(2) The Committee shall promptly consider any requests for declassification under paragraph (a) of this section and shall declassify any such records or reasonably segregable portions of such records as it deems appropriate in accordance with Executive Order 11652.

(3) Committee action on appeals shall be completed within twenty work days of receipt of the appeal, except that the Committee may, in accordance with the provisions of § 1900.45, avail itself of an additional period of time for completion of its work on the appeal. But no such extension shall be available with respect to an appeal of a denial of a request which was the subject of an extension of time for Agency action by the Coordinator under that paragraph. In the event the Committee is unable to complete its review of an appeal within the time prescribed by the two preceding sentences it may, by agreement with the requester, extend the period for completion of such review.

(4) The Committee shall promptly inform the requester of its decisions and, with respect to any decision to withhold or deny records, it shall furnish the names and titles or positions of the persons responsible for the decision. If any record or portion thereof is denied the requester by the Committee's action, the Committee shall also inform the requester of the provision for judicial review of that determination under subsection (a) (4) of the Freedom of Information Act.

§ 1900.53 Appeal to Interagency Classification Review Committee.

In the case of any refusal to declassify records which are at least ten years old, the Committee also shall inform the requester of his right to appeal that denial to the Interagency Classification Review Committee established pursuant to section 7(A) of Executive Order 11652, as provided by section IX(D) of the National Security Council Directive of May 1972. In that event, the Committee shall also inform the requester that appeal to the Interagency Classification Review Committee shall not waive his right to judicial review as provided by subsection (a) (4) of the Act.

MISCELLANEOUS

§ 1900.61 Access for historical research.

(a) Any person engaged in a historical research project may submit a request, in writing, to the Coordinator to be given access to information classified pursuant to an Executive order for purposes of that research project may submit a request, the nature, purpose and scope of the research project.

(b) The Coordinator may authorize access, under such conditions and at such time and place as he may deem feasible. But the Coordinator shall authorize access only with respect to documents and records prepared or originated not less than ten years prior to the date of such request and only upon the prior written

approval by the Agency Director of Security or a current security clearance of the requester and of persons associated with him in the project, in accordance with Executive Order 10450, and upon the Coordinator's further determination that:

(1) A serious professional or scholarly research project is contemplated;

(2) Such access is clearly consistent with the interests of national security;

(3) Appropriate steps have been taken to assure that classified information will not be published or otherwise compromised;

(4) The information requested is reasonably accessible and can be located and compiled with a reasonable amount of effort;

(5) The historical researcher agrees to safeguard the information in a manner consistent with Executive Order 11652 and the National Security Council Directive of May 1972; and

(6) The historical researcher agrees to authorize a prior review of his notes and manuscript by the Agency for the sole purpose of determining that no classified information is contained therein.

(c) An authorization shall be valid for the period required for the research project, as the Coordinator may determine, but in no event for more than two years. But upon renewed request in accordance with paragraph (a) of this section, authorization may be renewed in accordance with paragraph (b) and this paragraph.

(d) The Coordinator shall cancel any authorization whenever the Director of Security cancels the security clearance of the requester or of any person associated with the requester in the research project or whenever the Coordinator determines that continued access would not be in compliance with one or more of the requirements of paragraph (b) of this section.

§ 1900.63 Suggestions and complaints.

Any person may direct any suggestion or complaint with respect to the Agency administration of Executive Order 11652 to the CIA Information Review Committee. The Committee shall consider such suggestions and complaints and shall take such action thereon as it may deem feasible and appropriate.

This regulation shall become effective on February 19, 1975.

JOHN F. BLAKE,
Deputy Director for Administration, Central Intelligence Agency.

FEBRUARY 11, 1975.

[FR Doc. 75-4254 Filed 2-18-75; 8:45 am]

CHAPTER XVI—SELECTIVE SERVICE SYSTEM

PART 1608—PUBLIC INFORMATION

Freedom of Information Act Regulations

Whereas, on January 14, 1975, the Director of Selective Service published a

Notice of Proposed Amendments to Selective Service Regulations (40 FR 2593) of January 14, 1975; and

Whereas more than thirty days have elapsed subsequent to such publication during which period comments from the public have been received and considered. The proposed amendments are being made effective without change in substance.

The revision of Part 1608 would eliminate the authority of the Director of Selective Service and the State Director of Selective Service to disclose information in a registrant's file to an official of any state or subdivision thereof and the authority of the Director of Selective Service to disclose information in a registrant's file to any person other than the officials listed; the addresses of State Directors of Selective Service would be eliminated; a charge for the search of records would be specifically prohibited; "not clearly authorized" disclosures of information could be made only upon advice of the General Counsel of the Selective Service System; and final agency action on an appeal from a denial of information would be taken by the Director of Selective Service. The present provisions of Part 1608 that are not changed in substance are rearranged for the purposes of increased clarity and convenience in use.

Now therefore by virtue of the authority vested in me by the Military Selective Service Act, as amended (50 App. U.S.C. sections 451 et seq.) and § 1604.1 of Selective Service Regulations (32 CFR 1604.1), the Selective Service Regulations, constituting a portion of Chapter XVI of Title 32 of the Code of Federal Regulations, are hereby amended, effective February 19, 1975.

Part 1608, Public Information is revised to read as follows:

Sec.

- 1608.1 Public information policy.
- 1608.2 Definitions.
- 1608.3 General policy on disclosure of information.
- 1608.4 Availability and use of information in registrants' files.
- 1608.5 Waiver of confidential nature of information in registrant's files.
- 1608.6 Subpoena of records.
- 1608.7 Available information.
- 1608.8 Places where information may be obtained.
- 1608.9 Rules governing the obtaining of information.
- 1608.10 Identification of information requested.
- 1608.11 Fees for search of records and copies of documents.
- 1608.12 Request for information not authorized to be disclosed.
- 1608.13 Review of denials of requests for information.
- 1608.14 Demands of courts or other authorities for records or information protected by these regulations.

on builds upon prior successful cooperative education programs or introduces successful innovations;

(c) The training project provides for clearly defined procedures that give evidence of comprehensive and in-depth planning;

(d) The extent to which the proposed training project shows promise of developing trainees who may apply their expertise in more than one type of cooperative education program; and

(e) The extent to which the applicant demonstrates its commitment to a cooperative education training program by proposing to utilize resources other than those which may be made available by the Federal Government.

(20 U.S.C. 1087c)

§ 182.24 Trainee stipends and dependency allowances.

(a) *Stipends.* The Commissioner shall include in any grant or contract for a training project an amount sufficient to pay each trainee attending a full-time training institute of at least one week's duration a stipend of \$75 per week.

(b) *Dependency allowances.* The Commissioner shall include in any grant or contract for a training project an amount sufficient to pay dependency allowances up to \$15 per week for each dependent of a trainee in a full-time institute which is four weeks or more in duration. For purposes of this subparagraph, "dependent" means any of the following persons, if the trainee to whom the allowance is paid is providing over half of such person's support for the calendar year in which the training institute begins:

(1) A spouse;

(2) A son or daughter of the trainee or a descendant of either;

(3) A stepson or stepdaughter of the trainee;

(4) A brother, sister, stepbrother or stepsister of the trainee;

(5) A father or mother of the trainee or an ancestor of either;

(6) A stepfather or stepmother of the trainee;

(7) A son or daughter of a brother or sister of the trainee;

(8) A brother or sister of the father or mother of the trainee;

(9) A son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law of the trainee;

(10) An individual (other than the trainee's spouse) who during the calendar year in which the training begins, has been living in the trainee's home and is a member of the trainee's household (but not if the relationship between the individual and the trainee is in violation of local law); or

(11) An individual who—

(i) is a descendant of a brother or sister of the father or mother of the trainee;

(ii) for the academic year of the trainee receives institutional care required by reason of a physical or mental disability; and

(iii) before receiving such institutional care was a member of the same household as the trainee.

(20 U.S.C. 1087c)

§ 182.25 Funding criteria for research and demonstration projects.

The Commissioner shall evaluate applications for research and demonstration projects under this subpart in accord both with the criteria set out in § 100a.26 (b) of this chapter and with the following:

(a) The extent to which the research project proposes to assess the degree of change necessary to modify existing undergraduate teaching practices, the student calendar or curricula to meet the needs of students participating in a cooperative education program;

(b) The extent to which the research provides for:

(1) Well delineated methodologies;

(2) Realistically designed work schedules; and

(3) A logical relationship between stated objectives and research design;

(c) The extent to which the proposed project would explore innovative approaches to the operation of cooperative education programs and evaluate them; and

(d) The extent to which the project proposes to demonstrate the feasibility of a stated hypotheses for developing, improving, and promoting the use of cooperative education nationally through:

(1) Experimental models; and

(2) Various methods of information dissemination.

(20 U.S.C. 1087c)

§ 182.26 Reporting requirements.

(a) A recipient of a grant or contract under this subpart shall submit quarterly or other progress reports as the Commissioner may require, which shall include information on:

(1) The extent to which the objectives of the projects have been accomplished;

(2) What factors, if any, have prevented the accomplishment of project objectives, and what, if any, corrective measures are being taken; and

(3) Any highly significant aspects of the project.

(b) The recipient of a grant or contract under this subpart shall also submit a final report to the Commissioner within 60 days after conclusion of the project.

(20 U.S.C. 1087c)

[FR Doc.75-1649 Filed 1-16-75; 8:45 am]

ATOMIC ENERGY COMMISSION

[10 CFR Part 170]

FEEs FOR FACILITIES AND MATERIALS LICENSES

Proposed Revision of License Fee Schedules; Extension of Comment Period

This notice extends the period for comments to the notice, published November 11, 1974 (39 FR 39734), proposing amendments to the Atomic Energy Commission's regulations to revise the Commission's schedule of fee for facilities and materials licenses. By notice published in the Federal Register on December 18, 1974 (39 FR 43735), AEC extended the comment period to January 10, 1975.

Unopposed requests for an additional extension of time have been filed. Pursuant to 10 CFR 8.208, the requests are hereby extended to February 7, 1975.

Dated at Germantown, Maryland this 13th day of January 1975.

PAUL C. BENDER,
Secretary,

U.S. Atomic Energy Commission.

[FR Doc.75-1660 Filed 1-16-75; 8:45 am]

CENTRAL INTELLIGENCE AGENCY

[32 CFR Chapter XIX]

FREEDOM OF INFORMATION

Proposed Fee Schedule

Pursuant to the requirements of the Freedom of Information Act (5 U.S.C. 552, as amended) notice is hereby given that the Central Intelligence Agency proposes to adopt the following schedule of fees to cover the direct costs of searching for and duplicating documents and records requested pursuant to section 552.

a. For record search by clerical personnel—\$4.00 per hour.

b. For record search by professional personnel—\$8.00 per hour.

c. For computer search—\$55.00.

d. For duplication of paper documents to 8½ x 14 inches—\$1.10 per copy page.

e. For duplication of non-paper media any document that cannot be reproduced by a standard office copier—at actual direct cost.

Interested persons are invited to submit any written data, reviews or arguments concerning the proposed schedule, addressed to General Counsel, Central Intelligence Agency, Washington, D.C. 20505, and any such submission will be considered in determining the schedule to be adopted. However, since the amendments to the Act become effective February 19, 1975, and since it may be necessary to study the submission before determining the final fee schedule, only submissions received on or before February 6, 1975 will be considered.

JOHN F. BLAKE,
Deputy Director for Administration, Central Intelligence Agency.

JANUARY 13, 1975.

[FR Doc.75-1580 Filed 1-16-75; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 171]

[FRL 320-4; OPP-42001]

PESTICIDE PROGRAMS

Submission and Approval of State Plans; Certification of Commercial and Private Applicators

Correction

In FR Doc. 75-6 appearing at 2531, column 1 in the issue for Monday, January 13, 1975, the comments should read February 12, 1975 instead of February 5, 1975.